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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,238	02/11/2004	Andrew F. Knight	011	9914
42067	7590	06/12/2008		
ANDREW F. KNIGHT 124 SOUTHAMPTON DRIVE VINTON, VA 24179			EXAMINER CHAWAN, SHEELA C	
			ART UNIT	PAPER NUMBER
			2624	
			MAIL DATE	DELIVERY MODE
			06/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,238

Applicant(s)

KNIGHT, ANDREW F.

Examiner

SHEELA C. CHAWAN

Art Unit

2624

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3 and 5-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 18, 19, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 6-17, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on 2/4/08 has been entered and made of record.
Claims 3, 5- 24 are pending in the application.

Response to Argument

2. Applicant's arguments see page 2-3, of the remarks, filed 2/4/08, with respect to claims 5, 18, 19, 23 and 24 have been fully considered and are persuasive. The rejection of claims 5, 18, 19, 23 and 24 under 102 (b) has been withdrawn. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hotta et al., (US. 5,581,633).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 23-24, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 recites a machine-readable storage medium storing executable code and configured to cause a machine to perform the method of claim 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 18, 19, 23 - 24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hotta et al., (US.5,581,633), in view of Yoshida (US.5,108,206).

As to claim 5, Hotta discloses a method for creating a dynamic handwriting font (abstract) comprising:

- providing a first shaped character (column 2, lines 63- 67, fig 22, item 61);
- providing a predetermined frequency distribution (column 8, lines 40- 52, column 9, lines 30- 38, 45- 55); and

Hotta is silent about randomly altering a shape of said first shaped character .Yoshida discloses (US. 5,108,206) discloses document outputting apparatus including means to randomly alter fonts (column 2, lines 4-17, 44- 49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Hotta to include randomly altering a shape of the character. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Hotta by the teaching of Yoshida in order to provide which registers a font for handwritten characters in advance, and changes the size of pitch between characters and the pitch between lines dynamically as needed to make a handwritten document (as suggested by Yoshida at column 2, lines 44-49).

As to claim 18, see the rejection of claim 1 above.

As to claim 19, Hotta discloses the method as in claim 18, further comprising randomly altering a shape of said first shaped character according at least partially to said first frequency distribution (column 8, lines 40- 52, column 9, lines 30- 38 , 45- 55); and

As to claims 23 and 24, Yoshida discloses a machine-readable storage medium storing executable code and configured to cause a machine to perform the method (column 1, lines 55- 65, column 2, lines 1- 3).

Allowable Subject Matter

5. Claims 6- 17, 20- 21, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Non of the prior art on record teaches or fairly suggests, randomly selecting a number, wherein said randomly altering comprises randomly altering said shape of said first shaped character according at least partially to both of said randomly selected number and said frequency distribution.

Claims 3 and 22 are allowed claims.

Other prior art cited

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moed (US. 6,507,670 B1) discloses system and process for removing a background pattern from a binary image.

Moed et al., (US. 6,415,062B1) discloses system and process for repairing a binary image containing discontinuous segments of a character.

Moed et al., (US.6,363,162 B1) discloses system and process for assessing the quality of a signature within a binary image.

Moroo et al., (US. 2002/0057281 A1) discloses (US . 20020057281A1) discloses Image display control unit, image display control method, image displaying apparatus, and image display control program recorded computer-readable recording medium .

Takebe (US.6,563,949 B1) discloses character string extraction apparatus and pattern extraction apparatus.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6/4/08

/Sheela C Chawan/

Primary Examiner, Art Unit 2624

